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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 Nichia Corporation,
16 Plaintiff,
17 vs.
18 Seoul Semiconductor Co., Ltd., and Seoul
19 Semiconductor, Inc.,
20 Defendants.

21 Case No: 3:06-CV-0162-MMC (JCS)
22 STIPULATION AND [PROPOSED]
23 ORDER REGARDING DEADLINE FOR
24 PARTIES' EXCHANGE OF DEPOSITION
25 DESIGNATIONS, COUNTER
26 DESIGNATIONS AND OBJECTIONS
27 THEREON
28 No Hearing Requested
29 Pretrial Conference: September 4, 2007
30 Judge: Maxine M. Chesney

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1 Plaintiff Nichia Corporation (“Nichia”) and Defendants Seoul Semiconductor Co., Ltd.,
 2 Seoul Semiconductor Inc., (collectively “Seoul”), file this Stipulation and Proposed Order to
 3 extend the time for the parties to exchange deposition designations and objections to those
 4 designations. The parties have completed their initial exchanges, but have not revised those
 5 exchanges in light of the recent Order Granting in Part and Denying in Part the respective
 6 motions for summary judgment (Dkt. No. 665) and the Order Construing Claims (Dkt No. 664).

7 **RECITALS**

8 1. On May 2, 2007, this Court issued its Pretrial Preparation Order that specified that
 9 the parties accomplish certain tasks regarding preparation of the case for trial, including
 10 designations of certain portions of deposition transcripts in the event a witness is not available to
 11 testify at trial.

12 2. The parties exchanged the initial designations and counter designations, but have
 13 not revised these designation/counter designations in light of the Court’s recent Orders.

14 3. The parties have met and conferred. The parties agree, in light of the significant
 15 changes to the scope of the case occasioned by the Court’s recent rulings on claim construction
 16 and summary judgment, that they will not be prepared to exchange revised designations or
 17 discuss objections to such designations prior to the Pretrial Conference on September 4, 2007.

18 **STIPULATION**

19 Accordingly, the parties stipulate as follows:

20 1. The parties incorporate the recitals set forth above.

21 2. The parties shall exchange revised deposition designations and counter
 22 designations, striking those designations mooted by the Court’s summary judgment ruling, with
 23 objections thereon on or before three business days before trial. The parties will not be adding to
 24 their deposition designations.

25 3. The parties shall exchange (a) a list of deposition designation stricken and (b) a
 26 complete list of remaining deposition designations three business days before trial.

27 4. The parties shall complete a meet and confer regarding the objections to such
 28 designations and counter designations two business days before trial.

1 5. The parties shall file the objections they are unable to resolve one business day
2 before trial.

3 DATED: August 31, 2007

Bingham McCutchen LLP

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5 By: _____ /s/
6 Beth H. Parker
Attorneys for Defendants

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8 DATED: August 31, 2007

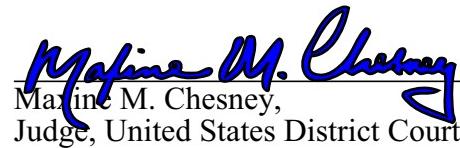
Foley & Lardner LLP

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10 By: _____ /s/
11 Nancy Geenen
Attorneys for Plaintiff

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14 **ORDER**

15 **IT IS SO ORDERED.**

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17 DATED: September 4, 2007

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Marjorie M. Chesney,
Judge, United States District Court